

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 15, 2007 (the "Office Action"). At the time of the Office Action, Claims 1, 3-20, 22-39, and 41-60 were pending in the Application. In order to advance prosecution of this case, Applicants have amended Claims 4, 6-7, 42 and 44-45 as suggested by the Office Action; and Applicants have canceled Claims 58-60. Applicants respectfully submit that no new matter has been added. Applicants respectfully request reconsideration and favorable action in this case.

Section 102 and 103 Rejections

The Office Action rejects Claims 1, 3-4, 15, 20, 22-23, 34, 39, 41-42, and 53 under U.S.C. § 102(b) as being anticipated by U.S. Patent 5,387,905 issued to Grube, et al. ("*Grube*"). The Office Action rejects Claims 5-6, 18-19, 24-25, 37-38, 43-44, and 56-57 under U.S.C. § 103(a) as being unpatentable over *Grube* in view of *Kawahata*. The Office Action rejects Claims 8, 12-13, 17, 27, 31-32, 36, 46, 50-51, and 55 under U.S.C. § 103(a) as being unpatentable over *Grube* in view of U.S. Patent No. 6,745,043 to Lester, et al. ("*Lester*"). The Office Action rejects Claims 9-10, 16, 28-29, 35, 47-48, and 54 under U.S.C. § 103(a) as being unpatentable over *Grube* in view of U.S. Patent No. 6,600,914 to Uhlik, et al. ("*Uhlik*"). The Office Action rejects Claims 11, 30, and 49 under U.S.C. § 103(a) as being unpatentable over *Grube* and *Uhlik* and further in view of *Lester*. The Office Action rejects Claims 14, 33, and 52 under U.S.C. § 103(a) as being unpatentable over *Grube* and *Uhlik* further in view of U.S. Patent Publication No. 2004/0109413 A1 to Hierholzer, et al. ("*Hierholzer*"). Applicants respectfully traverse these rejections.

To anticipate a claim, each and every limitation must be found in a reference. See MPEP § 2131. "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989). In addition, "[t]he elements must be arranged as required by the claim" *In re Bond*, 15 USPQ 2d 1566 (Fed. Cir. 1990).

Claim 1 recites receiving a request to establish a connection to a dialed number. The Office Action contends that this is disclosed by *Grube* at column 5, lines 36-37 and FIG. 4. *Office Action*, page 2. *Grube* discloses that "[t]he process begins when the system receives a

call request from a source communication unit. The source communication unit may be supported by a radio site or from a wireline dispatch position connected to one of the site node LANs." *Grube*, column 5, lines 36-40 (emphasis added). *Grube* does not disclose receiving a request to establish a connection to a dialed number. *Grube* discloses a push-to-talk system in which communications are sent in a point-to-multipoint fashion. See e.g., *Grube*, FIG. 1; FIG. 3; column 4, lines 44-45; column 7, lines 19-22. Nowhere does *Grube* disclose that a destination is identified by a dialed number. Thus, *Grube's* disclosure of an incoming call being from a wireline dispatch position does not disclose receiving a request to establish a connection to a dialed number. For at least these reasons Applicants respectfully request that this rejection of Claim 1, and all claims depending therefrom, be withdrawn. For analogous reasons Applicants also request that this rejection of Claims 20 and 39, and all claims depending therefrom, be withdrawn.

Claim 1 also recites determining a priority for the connection based on the dialed number. The Office Action contends that this is disclosed at column 4, lines 57-61 and column 6, lines 30-32. *Office Action*, page 2. More specifically, the Office Action contends that "the indicia of priority is the priority certificate and generated as a function of the priority of the call request, e.g., emergency call." *Office Action*, page 3. *Grube* discloses that "[t]he indicia of priority refers to either the priority of the source (console as opposed to a communication unit) or it refers to the priority of the message type (emergency call as opposed to a status update)." *Grube*, column 4, lines 57-61 (emphasis added). *Grube* also discloses that "packets are first processed to include the indicia of priority associated with this source unit and message." *Grube*, column 6, lines 30-32 (emphasis added). The disclosure of associating priority with a source or message type does not disclose determining priority based on a dialed number. The Office Action focuses on *Grube's* disclosure of determining priority from the message type. *Office Action*, page 3. However, determining priority of a message because it is an emergency message does not disclose determining priority based on a dialed number. Therefore, for at least this additional reason Applicants respectfully request that this rejection of Claim 1, and all claims depending therefrom, be withdrawn. For analogous reasons, Applicants also request that this rejection of Claims 20 and 39, and all claims depending therefrom, be withdrawn.

Conclusion

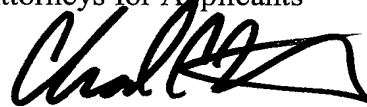
Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Chad C. Walters, Attorney for Applicants, at the Examiner's convenience at (214) 953-6511.

The Commissioner is hereby authorized to charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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